

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

VICTOR GONZALEZ-LOPEZ,
Plaintiff

v.

**COMMONWEALTH OF
PENNSYLVANIA, et al.,**
Defendants

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No. 1:18-cv-01955

(Judge Kane)
(Magistrate Judge Mehalchick)

ORDER

Before the Court is the June 3, 2019 Report and Recommendation of Magistrate Judge Mehalchick, recommending that the Court dismiss Petitioner Victor Gonzalez-Lopez (“Petitioner”)’s petition for habeas relief pursuant to 28 U.S.C. § 2241 without prejudice on the bases that Plaintiff failed to exhaust his administrative remedies at the state level and Younger v. Harris, 401 U.S. 37 (1971), requires the Court to abstain from ruling on the petition at this time. (Doc. No. 9.) No timely objections to the Report and Recommendation have been filed. **ACCORDINGLY**, on this 21st day of June 2019, upon independent review of the record and the applicable law, **IT IS ORDERED THAT:**

1. The Court **ADOPTS** the Report and Recommendation of Magistrate Judge Mehalchick (Doc. No. 9);
2. Petitioner’s petition for habeas relief pursuant to 28 U.S.C. § 2241 (Doc. No. 1) is **DISMISSED WITHOUT PREJUDICE** on the bases that Plaintiff failed to exhaust his administrative remedies at the state level and the Younger abstention doctrine bars the Court from ruling on the petition at this time; and
3. The Clerk of Court is directed to **CLOSE** the above-captioned action.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania